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General Assembly

Official Records

Disarmament Commission
249th meeting
Wednesday, 10 April 2002, 10.00 a.m.
New York

President: Mr. Maiolini ..... (Italy)

The meeting was called to order at 10.25 a.m.

The Chairman: I declare open the 249th meeting of the 2002 organizational session of the Disarmament Commission.

The Commission is convened today in order to deal with its organizational matters, including the issue of the 2002 substantive session in general, the election of remaining Vice-Chairmen from all regional groups and the adoption of tentative dates for next year's substantive session. As far as the appointment of the Chairmen of the subsidiary bodies of the Commission is concerned, I would like to remind the Commission that both Chairmen were elected for the full three-year cycle in accordance with decision 52/492 of September 1998.

Adoption of the agenda

Mr. Chairman: I now wish to draw the Commission's attention to the provisional agenda, as contained in document A/CN.10/L.50, which was adopted in November 2001.

Election of the Vice-Chairmen

The Chairman: In accordance with the established practice of rotation, the Commission elected the candidate of the Group of Western European and other States as the Chairman of the Commission for its 2002 session and the candidate of the African Group of States as the Rapporteur.

As far as the election of other members of the Bureau, namely eight Vice-Chairmen, is concerned, members may recall that, at the organizational meeting of 2 November 2001, the Commission elected Mr. Alexandr Sporys of the Czech Republic and Mr. Valentin Rybakov of Belarus as Vice-Chairmen from the Eastern European Group of States.

Furthermore, I am happy to inform the Commission that the Asian Group of States has nominated candidates for two posts of Vice-Chairperson: Ambassador Madina Jarbussynova of Kazakhstan and Mr. Hira Thapa of Nepal.

If I hear no objection I shall take it that the Commission wishes to elect Ambassador Madina Jarbussynova of Kazakhstan and Mr. Hira Thapa of Nepal as Vice-Chairpersons of the Commission for its substantive session, by acclamation.

It was so decided.

The Chairman: The Group of Latin American and Caribbean States has still to nominate its candidates for the two posts of Vice-Chairmen and the Group of African States and the Group of Western European and other States are expected to propose their candidatures for one post of Vice-Chairman each, accordingly.

I have been informed that the consultations are still being carried out within the regional groups with regard to their candidacies for the remaining posts of

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Vice-Chairmen. Therefore, I would suggest that this issue be taken up at a later stage.

Draft provisional agenda for the 2002 substantive session of the Disarmament Commission

The Chairman: The draft provisional agenda for the 2002 substantive session of the Disarmament Commission is contained in document A/CN.10/L.51. That document was formally adopted during the November 2001 organizational session, and we will return to it at a later stage, after a decision on the 2002 substantive session of the Commission has been taken.

Accordingly, document A/CN.10/2002/CRP.1, containing the provisional programme of work and timetable, will also be considered later.

Organizational matters

The Chairman: In accordance with a general understanding, the Commission works on the basis of its usual practice for a full three-week session. Accordingly, the Secretariat had reserved conference facilities from 22 April to 10 May for the 2002 substantive session of the Commission. As members know, those dates were arrived at after taking into consideration numerous factors, in particular the disarmament calendar for this year, especially the first meetings of the Preparatory Committee for the 2005 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was to precede the Commission's substantive session.

However, I should like to remind delegations of developments that have taken place in the aftermath of 11 September, namely the adoption of General Assembly resolution 56/222, by which the General Assembly decided to hold its special session on children on 8, 9 and 10 May 2002. That session, owing to its magnitude, takes over all meeting facilities of the United Nations during those three days. Therefore, had the Commission session been held as originally suggested, the Commission, during the third week of its session, would have lost six meetings as well as two meetings on the morning and afternoon of Friday, 3 May, which falls on Orthodox Christian Good Friday. Thus, the total number of days during which the Commission would have had no meetings during its 2002 substantive session would have grown to four. Since the deliberations on both important substantive items are in their third and final year, and as most strenuous efforts were expected to come at the end of negotiations, it was therefore unacceptable for the Commission to cut short this crucial stage of its substantive session.

As members may recall, at the request of the Commission, the Bureau, in consultation with the Department of General Assembly Affairs and Conference Services, proposed three alternative sets of dates during which to hold the 2002 substantive session of the Commission: two weeks and one day, from 22 April to 6 May; from 13 to 31 May; and from 1 to 19 July.

From the very beginning, the whole month of June was not acceptable for a number of reasons, including the obvious overlap with the Conference on Disarmament and, more important, the lack of available space and services. At a later stage of my informal consultations, I, together with the Secretariat, also considered the period 22 July to 9 August. However, that period also coincided with the session of the Conference on Disarmament and the meeting of the expert group on the Convention on Certain Conventional Weapons (CCW), from 22 June to 2 August. By the way, I should like to recall that the Conference on Disarmament in Geneva will start work on 29 July and end it on 13 September, and that the conference on the Ottawa Convention on landmines will be held from 16 to 20 September.

I regret to inform the Commission that all those dates proved to be beyond the reach of consensus. Of course, there were different important reasons given by various regional groups. Without going into specifics, I might add that the problem was further aggravated by a unique combination of events and factors beyond our control. Having carefully considered all available options, the Bureau, as can be deduced from the reaction of the regional groups to its various proposals, concluded that it had no alternative but to recommend reluctantly that the consideration of the two substantive agenda items be continued at the 2003 substantive session.

If the Commission proceeds accordingly, it will be our understanding that it does so without prejudice as to the future work of the Commission in general and the consideration of the two substantive agenda items in particular, and certainly without creating any precedent. Furthermore, despite this turn of events, the

Bureau suggests that delegations reaffirm the importance of the Commission and their commitment to this unique multilateral disarmament deliberative body.

Mrs. Arce de Jeannet (Mexico) (*spoke in Spanish*): At the outset, Mr. Chairman, I should like to express my delegation's appreciation for the convening of this meeting of the Disarmament Commission and for all the information you have just provided to us, including the proposal of the Bureau of the Commission. We understand that, together with the other members of the Bureau, you have carried out extensive consultations with all delegations with a view to arriving at an understanding on the dates for the holding of the 2002 substantive session. We can bear witness to those efforts, and we have also taken note of the problems that have arisen in trying to reach agreement.

We have studied the draft report of the Disarmament Commission, contained in document A/CN.10/2002/CRP.2 and, in particular, its paragraph 10, which proposes that the substantive session be held next year, from 31 March to 17 April 2003. The Mexican delegation will forward this proposal to the appropriate authorities in Mexico, so that it may be duly considered and so that the appropriate instructions may be issued to the Permanent Mission in New York. At that time, we will inform you, Mr. Chairman, and other delegations of those instructions. We wish to add that it might help to proceed with caution and not to adopt hastily a decision whose immediate effect would be the failure to convene a substantive session of the Disarmament Commission in 2002.

The delegation of Mexico would like to recall that in September 1998, the General Assembly adopted decision 52/492, which was the result of a thorough examination of how to rationalize the Disarmament Commission's work. On that occasion, we reached an understanding on a number of points. The first was that we would retain the arrangement of annual sessions of the Disarmament Commission, limiting their duration to three weeks. We also agreed that we would consider two substantive items, one of them on nuclear disarmament, over a period of three years. Those were some of the main elements of that decision. We would truly regret that, less than four years after decision 52/492 was adopted, we might be faced with non-compliance with our 1998 agreement.

In all due respect, we would like to suggest that we try again to consider the dates available for this year and that, in a spirit of compromise and flexibility, we try to find a time this year during which we could hold the substantive session of the Disarmament Commission. We venture to make this request to you, Mr. Chairman, the Bureau and all delegations because we are convinced of the Disarmament Commission's importance as the deliberative body on disarmament issues.

We are aware that the Conference on Disarmament in Geneva has unfortunately not been able to begin the substantive consideration of disarmament items. We note that all delegations must take the opportunity of the substantive session of the Disarmament Commission to conclude negotiations on two very important items.

I apologize for speaking at length. But I would like our request to be taken into account by all delegations.

Mr. Khairat (Egypt): At the outset, Mr. Chairman, I would like to welcome you to New York and to tell you that my delegation will spare no effort to assist in your deliberations.

Last December, Sir, the delegation of Egypt was one of the first delegations to respond to you by agreeing to the time you had then proposed for the Disarmament Commission session, 1 to 19 July. Our quick and speedy answer stemmed from our spirit of support and from the importance we attach to the Disarmament Commission and its deliberations as a multilateral disarmament body which we want to maintain and whose work we want to emphasize.

Further consultations have been held since January, and many options for meeting schedules have been studied. However, nothing has been acceptable to all delegations, because of the various meetings in Geneva and other meetings of regional groups.

I would like to emphasize that Egypt attaches great importance to the Disarmament Commission. Taking into account that this is the third year of the current meeting cycle, we attach great importance to the 2002 session. But in considering that the dates proposed by the Secretariat conflict both with disarmament meetings in Geneva and with regional meetings, and having seen that there is no other opportunity, my delegation reluctantly agrees to the

Chairman's proposal to delay the substantive session of the Disarmament Commission until 2003, on the understanding that this will not constitute precedent. It is also our understanding that this is "due to extraordinary circumstances", as noted in paragraph 9 of the draft report. Therefore, my delegation will go along with the proposal made in paragraph 10 of the draft report, to convene the Commission's substantive session between 31 March and 17 April 2003. We ask that those dates be booked with Conference Services in order not to face the same problem we had this year.

Mr. Barabandi (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I would like to thank you, Mr. Chairman, for convening this meeting, and we welcome you to New York.

The Syrian delegation wants to reaffirm the importance of the Disarmament Commission as a multilateral body. We would like to maintain it and support its work.

Members know that the dates proposed for a 2002 substantive session coincided with many important international meetings that are of importance to my delegation and to other delegations. I therefore support the proposal to defer the convening of the session to next year, in view of its importance and so that we can prepare for it in a way that is commensurate with that importance. As you said, Sir, and as noted in paragraph 9 of the draft report, this should not be considered a precedent.

Mrs. Martinic (Argentina) (*spoke in Spanish*): I, too, should like to thank you, Mr. Chairman, for your tireless efforts in attempting, along with the Secretariat, to determine possible dates for the holding of our 2002 substantive session.

My delegation attaches great importance to the Disarmament Commission as a forum for discussion and dialogue on these issues. For that reason, we deem it regrettable that — as stated in paragraph 9 of the report — due to extraordinary circumstances, we will not be in a position to hold our 2002 substantive session — despite the fact that you, Mr. Chairman, have explored with the Secretariat a number of possibilities — because the international agenda is so extensive and the proposed dates cannot accommodate all delegations.

The positive aspect of this is the great interest evinced in the Disarmament Commission and the efforts that are being made to find dates that will accommodate all delegations. But, as I said, since this situation is due to extraordinary circumstances, it does not seem possible that will be able to hold our substantive session during 2002. For that reason, we support your recommendation, Sir, that we set now the date for the 2003 session, since we know that subsequently it will be difficult to find a three- week period during which we will have at our disposal the services and support we need from the Secretariat.

I should like to recall that fact that my delegation, as a member of the Group of Latin American and Caribbean States, was the first to support your proposal that we hold our session from 1 to 19 July this year.

Moreover, may I, in my capacity as the Chairman of Working Group II, note and — through you, Sir — request delegations to cooperate in maintaining the momentum achieved in the consideration of the items before the Disarmament Commission and to invite them to continue to work informally and to hold a dialogue until our next substantive session.

Finally, allow me once again to express my gratitude for the contributions made by delegations to date, and, despite the notice in the Journal, of which everyone is aware, to recall that we continue to await information on documents and meetings on existing confidence-building measures in the area of conventional weapons.

The Chairman: I should like to assure the representative of Argentina that we will spare no effort in endeavouring to maintain the momentum and the importance of the Disarmament Commission's substantive session. We will do everything in our power to see that the representative of Argentina as well as the representative of Ghana receive full support in the efforts they are carrying out to prepare the reports they are supposed to present at the time of the substantive session.

Ms. Notutela (South Africa): First of all, my delegation, too, would like to congratulate you, Sir, for spending so much time on the task of trying to find suitable dates for the next session of the Disarmament Commission.

It is entirely regrettable that it is impossible for us to find a suitable date; unfortunately, my delegation really cannot accommodate some of the proposals. But having said that, and looking at the draft report that

you have just presented to us, Mr. Chairman, my delegation will go along with your suggestion to defer the Disarmament Commission's discussions until next year — from 31 March to 7 April — taking into consideration also the fact that the issues currently under discussion will continue to be discussed and that consultations will continue.

Mr. Holzenberger (Germany): I wish to thank you, Mr. Chairman, for convening this meeting and for all of your efforts to find a possible date for the Commission's substantive session. My delegation could certainly support your suggestion to defer the session to 2003, especially in the light of paragraph 9 of the draft report.

My delegation would like also to thank Mexico for trying to look for alternatives, but it cannot accept a decision whereby the Disarmament Commission's session would coincide with that of the Conference on Disarmament in Geneva. Both are important disarmament bodies, and a conflicting schedule would not be helpful.

In this case, I suggest that it would prejudge the working capacities of the Conference on Disarmament. My delegation cannot accept that, especially in view of the fact that we will have the presidency of that body later this year.

Mr. Santiago (Brazil) (*spoke in Spanish*): At the outset, Mr. Chairman, allow me to express our satisfaction at seeing you here in New York once again and to thank you for having convened this meeting and for the information you have provided to us.

Brazil, because it attaches tremendous importance to the deliberative body that is the Disarmament Commission, and also because it is a member of the Group of Latin American and Caribbean States, is one of the delegations that from the very beginning have given to you their full support to go ahead with the third exercise of this cycle of discussions in 2002 for the period 1 to 19 July.

It seems to us, and we continue to believe, that it is very important that we not lose the momentum for discussing these very important disarmament issues. We continue to believe that the signal that we are sending is a complicated one. To postpone the process is not always pleasant, and certainly delegations cannot always accept this willingly. We accept it, because we are convinced that you, Sir, have made every effort to try to reach agreement on the dates.

We understand that the international agenda, which, it must be said, is not always disarmament-related, is always packed with different events. It is therefore difficult to find a three-week period during which we can devote our attention exclusively to disarmament issues. Of course, Mr. Chairman, we accept your proposal to defer the process until 2003 with regret, for reasons already mentioned. Above all, as you and our colleague from Egypt stressed, this will in no way constitute a precedent for the future work of the Commission.

I should like to thank in particular the representative of Mexico for the extra effort to try to find and reconcile dates in 2002, but we know that you, Mr. Chairman, have explored all — or nearly all — of them and have concluded that we have no other option but to postpone this exercise until 2003. It is important to mark it on the United Nations calendar now — although the previous dates had been fixed early as well. However, this time, we will set the dates, and, once they are established, we will be able to hold our session between 31 March and 17 or 18 April 2003.

I believe it is also important to recall the idea expressed by the representative of Argentina, Chairperson of Working Group II: the need to keep the momentum and to continue our debates and discussions in some form so that we do not allow the importance of these matters to diminish, especially in the light of all the hard work we have done in the sphere of disarmament.

Mr. Than (Myanmar): Thank you, Sir, for convening this meeting. I commend you for your tireless efforts to find consensus regarding the organizational matters of the Disarmament Commission.

We attach great importance to the Commission as a deliberative body that deals with disarmament. At the moment, the Commission is discussing nuclear disarmament, a subject that is dear to our hearts. We would have wished to have the substantive session this year, in 2002. However, because of unavoidable circumstances, it has been found impossible to organize a substantive session this year. You, Mr. Chairman, have tried your best and have explored all the possibilities. You have proposed the alternative of

further postponing the session and holding it from 31 March to 17 April 2003.

In the light of the extraordinary circumstances that have made it impossible to convene the session this year, my delegation can go along with your proposal and can agree to those dates. We do so only on the understanding that this will not be taken as a precedent.

Mr. Osei (Ghana): I should like to join previous speakers in thanking you, Sir, and the Bureau for convening this meeting to brief us on the state of play regarding the schedule of work for the third substantive session in the Disarmament Commission's current three-year cycle.

We all know that the three-year cycle of Commission meetings has become hallowed through practice. Therefore, any proposal or recommendation to depart from that practice must not be reached lightly, if the spirit behind the Commission's mandate is to be preserved. Yet my delegation and, I believe, most other delegations here have been sensitized to the events of last year — in particular those of September — which gave rise to the need to reschedule many major meetings and which, as you have indicated, Sir, led to extraordinary circumstances that require us to depart from that hallowed practice. We appreciate the factors that have been involved, and we have all been well briefed by our respective regional coordinators on the intense consultations that you, other members of the Bureau and the Secretariat have had to ensure that we would have dates that will also preserve a three-week cycle of meetings.

Therefore, as much as many of us regret it, we will go along with your recommendation that the session be held in 2003 on the dates proposed. However, along with the representative of Egypt, we would like to ensure that those dates are firmly fixed on the United Nations calendar so that there are no further disruptions to our cycle of work.

Speaking as the Chairperson of Working Group I, I should like to touch on an issue raised by my counterpart in Working Group II, Gabriela Martinic: the need to maintain the psychology and the momentum that have been built up over the past two years and to ensure that — perhaps through other methods, including informal consultations — our work can be facilitated in that regard. I should like to hear suggestions about how we can do this effectively using the window of opportunity opened by the moving of the dates to next year. I should also like to hear views as to whether we can take advantage of various institutional meetings, such as those of the First Committee and other meetings on disarmament, to have intersessional consultations on how best to finalize our work.

The Chairman: I can assure the representative of Ghana that we have found the ways and means to exploit, as much as possible, the time we have before us in order to facilitate the work of the Chairpersons of the two Working Groups.

Mr. Baublys (Lithuania): I should like to express my delegation's appreciation to you, Sir, for your tireless efforts and for convening this meeting to discuss how we can proceed further.

My delegation essentially shares the sentiment expressed by the majority of other delegations. Given the extraordinary circumstances, I cannot fail to support the proposal to defer the convening of the Disarmament Commission substantive session, and to echo the sentiment expressed by a number of delegations that it should not constitute a precedent. That might accommodate the delegation of Mexico, and if so, we could adopt the proposed dates and not postpone the discussion any further.

Mr. Brunet (France) (spoke in French): My delegation wishes in turn to welcome you to New York, Sir, and to thank you for your efforts to find a solution to the organizational issues that we have been addressing this morning.

My delegation recalls its great appreciation for the discussions we have been able to have in the first two years of the Disarmament Commission's three-year cycle on the two substantive items on our agenda. We attach great importance to this forum, which allows us to hold a genuine dialogue. Ours is a deliberative body that enjoys full participation in the United Nations format; it is a body that is extremely important. We have held very useful and rich debates on two very important issues: ways and means to achieve nuclear disarmament and practical confidence-building measures in the field of conventional arms.

We are most grateful for the work done to date and hope that we shall have the opportunity to pursue it under the guidance of the two Chairpersons, the representatives of Argentina and Ghana. We have done

good work so far and it would be a pity should our schedule of meetings not permit us to continue this year. There will be something of a vacuum if we postpone our work until next year.

My delegation is somewhat concerned by the fact that, while we fully understand that the events of last September have delayed the convening of the special session on children — the great importance of which the Disarmament Commission could not fail to take into account — we must make the best of it. From the perspective of the European Union, however, I would recall that, at the beginning of the current cycle, we reiterated our position that, if three weeks were not available to us, two might be an acceptable opportunity for discussion and work. The problem is that, if some insist on three weeks — which seems to be the case with many delegations — given the United Nations schedule of conferences, which is becoming increasingly tighter and complex, we run the risk of finding ourselves ever more often in such impossible situations.

You, Mr. Chairman, recalled another very significant constraint that was also referred to by my colleague from Germany, namely, that no sessions of the Conference on Disarmament in Geneva and the Disarmament Commission in New York can be held concomitantly. We know that many delegations to the Disarmament Commission are made up largely of our colleagues who also work in Geneva. While my delegation, for example, might be capable of covering the Conference on Disarmament and the Disarmament Commission simultaneously for a limited time, not all missions can do so, given their relative sizes. We are aware that this is a problem and that therefore the schedules of the Conference and the Commission should not overlap. The tightness of the schedules is thus very apparent.

We feel that we might consider the possibility of reducing the duration of our session from three to two weeks, which we could probably find a place to fit into the schedule. I would therefore note that, should the problems be such that it is impossible to hold a session this year, my delegation will fully support you, Sir, in the choices made by the Bureau on the basis of the Secretariat's indications. If that is the situation, we will have to postpone our session until next year, but we accept that proposal with regret.

I would simply add very clearly for the record that my delegation challenges the indication given here that it is just as important to take regional meetings into account as it is to consider the constraints on the Disarmament Commission. If we must add to the constraints on the Disarmament Commission the possibility that certain regional meetings may clash with the Commission's proposed schedule, it will be truly impossible to find open dates in the future. If we have to find three weeks that do not coincide with the schedules of the Conference on Disarmament in Geneva and of the regional groups, our work will be all the more difficult in the future.

We should not look at these constraints as being equal. Each delegation or group of delegations should decide on the basis of its own needs and imperatives, but we must not put the constraints of the Conference on Disarmament and of the regional meetings on the same footing, because that could create an unfortunate precedent. If we are able today to establish the timetable for next year's session, we will at least know that the cycle will be finished next year and my delegation will be able, as in the past, to work constructively and in a spirit of dialogue to achieve interesting and useful results, as the Commission often has, on the entire agenda.

The Chairman (*spoke in French*): We shall certainly take due account of the valuable suggestions made by the representative of France.

Mr. Baeidi Nejad (Islamic Republic of Iran): My delegation very much appreciates your efforts, Sir, to pursue this matter of the dates for the substantive session of the Disarmament Commission. As you yourself mentioned, we are facing an extraordinary situation this year because of some important developments in and beyond the disarmament calendar.

It is unfortunate that, despite all your efforts and those of delegations, we have not been able to find the best possible date for the Commission's session this year. My delegation appreciates the suggestion made by you, Sir, and the Bureau to have the substantive session next year. We would certainly consider that suggestion positively with a view to facilitating the work of the Disarmament Commission.

Apart from this major point concerning the dates, I have a comment to make with regard to the draft report of the Commission, as distributed this morning. I assume that, as is clear from the report, we are shifting

only the substantive session from 2002 to 2003, in accordance with the suggestion. So, if you think about it carefully, the session that we would have in 2003 would, in a way, be the resumed 2000 session, not the 2003 session, because we were supposed to complete our three years of work in 2002. Thus, we have held our organizational session in 2002, and we will complete our work in 2003.

I consider that paragraph 11, referring to the remaining in place of officers, including the Chairman, is entirely proper. By paragraph 11, the Commission would decide that officers, including the Chairman, will remain in office. I think that is very natural, and we completely support it.

My point is that, from a procedural point of view, since we have not discussed substantive matters but only minor organizational business in 2002, how necessary is it to file a complete report such as this one? That is not a very straightforward question, and I am not expecting an answer now. We wanted to mention it only because we have not had a substantive Commission session this year and are postponing it until next year. Is there any possibility of a shortcut that would not impose a full report on the United Nations, since such a report would be published and distributed on a large scale? In the draft report before us, paragraph 1 contains the text of General Assembly resolution 56/26 A; two other pages are composed entirely of organizational and technical references; and three others — paragraphs 14 to 32 — refer to the documents before the Commission during the previous two sessions. So we are not actually covering much substance in the report, and that is clear to all of us.

I am not posing this question to create a problem for the Secretariat or for the Chairman.. It is only to determine if there is any possibility for a shortcut — perhaps a short procedural report that would say we have held organizational meetings and have decided to cover substantive matters next year, in 2003.

The Chairman: I now give the floor to Mr. Alasaniya of the Secretariat, who will explain the mechanism.

Mr. Alasaniya (Secretary of the Commission): I thank the representative of Iran for posing this question. The established practice is that it files a full report even when the Commission does not have anything substantive to report, such as a resolution. However, having said that, precedents are there to be broken. If the group decides today to file a shorter report of a purely procedural nature, reporting only that there was an organizational session — and referring to the dates that have been fixed, which are an important part of this report — the Commission can, of course, do that. Again, however, the usual practice is that to file a full report even when there has been no substantive discussion.

Mr. Maandi (Algeria) (*spoke in Arabic*): Welcome to New York, Mr. Chairman. We are very pleased that you are here among us and that you have organized this meeting.

Quite briefly, I should like to reaffirm our desire to cooperate fully with you, Sir, and to reaffirm our total support for the proposal in paragraph 9 of the draft report before us in document A/CN.10/2002/CRP.2. In that context, my delegation attaches great importance to the multilateral framework provided by the Disarmament Commission for the discussion of disarmament issues. I fully agree with paragraph 9: that this postponement does not constitute a precedent and is due to extraordinary circumstances.

Mr. Mehta (India): We very much appreciate your efforts, Mr. Chairman, to try to find a way out of the imbroglio in which we find ourselves. I am sure that, with a bit of flexibility, we can find dates for the Disarmament Commission substantive session to take place, hopefully this year.

The Commission is an important deliberative organ. In fact, it is the only deliberative organ of the General Assembly in which all members participate in the discussion of disarmament issues, which are important. To postpone the substantive session for a year is not something about which we would feel happy, mostly because a considerable amount of work has been done — thanks to the tireless efforts of the Chairpersons of the two Working Groups — to bring it to fruition this year.

We wonder if it would be possible to work on the first four sets of proposed dates, which we received yesterday from the Chairman of the Asian Group. Perhaps with a little effort we can find a way to accommodate those dates rather than postponing the session for a whole year. That is how my delegation sees it, but we will go along with the consensus and will be guided by you, Mr. Chairman.

Mr. Goussous (Jordan): We warmly welcome you to New York once again, Mr. Chairman. On behalf of my delegation, I would like to assure you that we will spare no effort to ensure the successful outcome of the forthcoming substantive session of the Disarmament Commission.

Mr. Chairman, my delegation will go along with your proposal regarding the convening of the session from 31 March to 17 April 2003, due, unfortunately, to unforeseen circumstances this year and to certain other details that are not yet clear with regard to the Non-Aligned Movement summit in July, in addition to what you mentioned earlier. We will unfortunately have to go along with this proposal, provided that it not create any precedent whatsoever. My delegation attaches great importance to the Disarmament Commission, especially if we take into consideration the situation of the Conference on Disarmament in Geneva and the Commission's importance in reaching a successful outcome that would serve all our interests.

At the same time, I would propose one additional thing. We would be very much in favour of having a two-week session instead of a three-week session, due to several logistic and other problems that would make it difficult for us to cover all activities and the other forthcoming conferences. We suggest this to ensure that we give the Commission the importance it deserves and to preserve the Commission's momentum.

The Chairman: I think that the modification of the proceeding should be considered in other contents; this question of length is a point that has been raised by others. But we will deal with this in another, more appropriate context.

Mr. Lemanski (Poland): Let me first join the others in thanking you, Mr. Chairman, for all that you have done, for all the efforts you have made and for exploring all the possible dates for the Disarmament Commission session.

My delegation would like to stress the importance and the significance of the Disarmament Commission. Let me assure you, Mr. Chairman, of our full commitment and engagement with respect to the deliberations of the Disarmament Commission. But in the current circumstances I do not think we have any choice but to support your proposal. We would also like to express our support for the draft report. Because of time constraints, the overlapping of events and many other issues that I do not wish to dwell on now, I think your proposal is the best solution in the present situation.

Mr. Rowe (Sierra Leone): Mr. Chairman, I would like to join others in welcoming you back to New York. I recall that last year we had intensive discussion on the question of the dates for the substantive session of the Commission. We know that it was not easy. We would like to commend you, Mr. Chairman, the Secretariat and the Bureau for arriving at the proposal which you have presented to us on postponing the session until next year.

Many of us are concerned that this might become a precedent. My delegation would also like to add that we hope that the postponement will not be interpreted as an effort to relegate the important issue of disarmament to — I do not wish to call it so — the basement of the international agenda. The work of the Commission is very important, considering what is happening in Geneva.

So, my delegation would support your proposal. We would also like to have some clarifications as to what we can do before that date in terms of informal consultations or discussions — this is important for us — either before the First Committee meets in September and October or immediately after that. I think the issue of length, whether two or three weeks, could also be discussed in this consultative process.

I would like to comment briefly on the point raised by the representative of Iran with respect to the draft report (A/CN.10/2002/CRP.2). We do not have any problems with the length of the draft report, but we acknowledge that there was no substantive session this year. I think the report should reflect that. In our view, the subject should be the 2002 organizational session, because we did not do any substantive work. Accordingly, the wording of paragraph 9 should be "two agenda items at its next substantive session, to be held in 2003". And the wording of paragraph 10 should be "the Disarmament Commission also decided to hold its next 2003 substantive session in 2003". There was no substantive session this year at all. The length of the report is not really that relevant, but let us call a spade a spade and say that it was an organizational session rather than a substantive session.

The Chairman: Before our meetings, coinciding with the First Committee, we will certainly have consultations on the substance and on the way to make the two reports reflect the latest developments. Then,

when we meet in New York, my intention now is for us to have meetings to address formally some of the details related to the reports.

As for the problem of whether the duration of the session should be two or three weeks, we must follow the 1998 decision of the General Assembly.

Mr. Son (Republic of Korea): Mr. Chairman, I greatly appreciate your effort to accommodate delegations with respect to the dates of our substantive session. I believe that everybody wanted to hold the session as scheduled but, owing to conflicts with the dates of other international meetings, the Bureau, having reviewed all possible options, had no alternative but to propose the postponement of the substantive session until next year. In that regard, my delegation supports paragraphs 9 and 10 of the draft report contained in document A/CN.10/2002/CRP.2. The postponement will not diminish the importance of the Disarmament Commission, and I am convinced that the Commission's momentum should be sustained.

The Chairman: I assure the representative of the Republic of Korea that we are all interested in maintaining the momentum of the Disarmament Commission, as of other United Nations bodies dealing with disarmament.

Mr. Durrani (Pakistan): Let me join other representatives in congratulating you, Sir, on your election to the chairmanship. We are very pleased to see you presiding over the Disarmament Commission at the current session.

It is unfortunate and unprecedented that the Disarmament Commission's session has to be postponed. We have already stated our agreement with the proposed text on this matter, and we were flexible as far as dates in July were concerned. But since we have to keep in mind the realities and the problems that are being faced, we are reluctantly able to go along with the consensus that has emerged thus far with regard to paragraphs 9 and 10 of the draft report (A/CN.10/2002/CRP.2), on postponing the substantive session until 2003. We hope that we will stick to the dates proposed in paragraph 10 — between 31 March and 17 April 2003 — and that no further postponement of the substantive session will take place.

The Chairman: We have heard 19 statements, 17 of which were in favour of the idea of delaying the substantive session until the dates mentioned in paragraph 10 of the draft report: between 31 March and 17 April 2003. I noted that the statement of the representative of India showed flexibility. Further, I took careful note of the statement of the representative of Mexico, who made reference to dates in August, to which there were objections from the representatives of France and of Germany.

I would ask the representatives of India and of Mexico if they had in mind some specific dates in August. However, let me draw attention to a few elements. First, August, as has been noted, is fully taken up by the Conference on Disarmament in Geneva, apart from several days at the end of the month devoted to consultations among the States parties to the Convention on Certain Conventional Weapons: a successful exercise much facilitated by the representative of India in Geneva.

Moreover, according to the rules, the report of the Disarmament Commission should be submitted six weeks in advance of the beginning of the General Assembly session. Another element is that we need to avoid the inconveniences that we experienced this year. I beg my colleagues to consider this very carefully: we should fix a date for the session, in this case, if the draft text is adopted, for 2003. My consultations, which took place practically from 10 November, when I returned, right until my departure from Geneva, were, as somebody has observed, extensive and insistent. I am not even mentioning the telephone calls and the good offices of my colleagues in New York. I think I have something on the order of 80 pages of correspondence; if you add the direct conversations, this gives the sense of a real effort.

Of course, nobody here is happy to delay an event in which we are extremely interested. As we said, although there is consensus, there is no equivocation about the fact that this is the result of an emergency and is not jeopardizing the prestige, the importance or the meaning of the Disarmament Commission. This is an exceptional occurrence. We shall work during this period, with the perseverance and enlightened input of the Working Group Chairs, to present to the Commission the best reports and the best bases for its deliberations. I would like here to commend Mr. Yau Odei Osei and Ms. Gabriela Martinic for their efforts on their respective items.

That said, let me ask whether the representatives of India and of Mexico consider that the reasons we

have given are sufficiently clear. We took into consideration the needs of everybody in this room and beyond, and truly made an effort.

I thank all members for their contributions to the debate and ask them whether we can move forward to a decision this morning. I think it is extremely important that we have a set of dates for the substantive session next year. As I have said, nobody wants a delay, but we were facing a really impossible situation.

Mrs. Arce de Jeannet (Mexico) (*spoke in Spanish*): The Mexican delegation would like to thank you once again most warmly, Mr. Chairman, for the comments you have just made, which very accurately reflect the thrust of this morning's discussions.

Mr. Chairman, the Mexican delegation would like — and I would ask you to be indulgent with our persistence in this respect — to see the Commission reconsider the period of 1 to 19 July, which you had originally suggested. We have taken due note of the obstacles that have prevented the Commission from reaching an agreement on those dates, due to a very important meeting of the Non-Aligned Movement. However, it appears that there is new information that should be taken into account.

Thus the proposal we wish to make to you, Mr. Chairman, and to all delegations present here would be to suspend this meeting and to resume it later, perhaps at the beginning of next week, in order to enable you to contact the Chairman of the Non-Aligned Movement and to determine whether the Summit of the Non-Aligned Movement could be changed. If the dates originally proposed by the Non-Aligned Movement are kept, then our delegation will work to reach an agreement. But I think it would be important to make this additional effort before taking a definitive decision.

I would note, furthermore, that we have taken due note of all of the comments made this morning, which we will convey to the relevant Mexican authorities. However, we believe that, before a final decision is taken, we should take the additional step taken of confirming the dates in question. In the light of the information that you, Mr. Chairman, will provide, we will then be able to take a definitive decision.

Mr. Mehta (India): As I mentioned earlier, our preference is to hold the session this year, preferably in April — the first four options — but I also was very clear that we will go along with the consensus. The idea is for the Disarmament Commission to set the dates as soon as it can, in order to put an end to the uncertainty.

We have put ourselves in your hands. That remains our position. If the consensus is that next year is the only time we can schedule the full three weeks, we will go along with it.

The Chairman: I thank the representative of India for his flexibility.

Mr. Goussous (Jordan): With regard to the proposal made by the representative of Mexico, let me say that we are very much involved in consultations with respect to the Summit of the Non-Aligned Movement. I cannot go into greater detail, but the available information indicates that the Summit might take place in July or in August. Of course, I cannot confirm anything at this time. Either it will be held in July or August, or it will be postponed until next year, or, if someone is interested in assuming the chairmanship to avoid all of the complications we are facing, it might take place the same month, or the month after. But nothing is confirmed, and we have no further information. That actually makes it very difficult for us to even think of any proposal or date with regard to July and August, because we are not exactly over-represented and thus cannot cover both conferences at the same time, should others insist on holding it in July or August.

Mr. Notutela (South Africa): I regret that I have not been in the room for the whole period of this debate, but my colleague has briefed me, and I am prompted to take the floor given recent interventions, particularly that from my colleague from Mexico.

Concerning the last statement, there is some indication of some of the thinking that is going on inside the Non-Aligned Movement, but at this stage, as representative of the Chairman of the Non-Aligned Movement, I should say to the Commission that we would not be in a position, as things currently stand, to agree to a meeting dates that would coincide with the July dates which have been thought of for the Non-Aligned Movement.

We are awaiting instructions from Pretoria, and, when we receive those, we will be able to have more clarity. But at this stage we have no such instructions, and therefore we will continue to work on the basis that

July would be a period that would be difficult from the perspective of the Non-Aligned Movement. That might change by Monday or it might not, but today that is currently the position.

I should also point out to the Commission, and here I am speaking in my national capacity, that it is not just the Non-Aligned Movement — I know that the Organization of African Unity (OAU) Summit, at which the African Union will be launched, will be taking place in July as well. Some other important summit meetings will also be taking place at that time.

July has always been a complex period, but, with regard to the situation in the Non-Aligned Movement, I can say to the Commission — if I am asked today — that I cannot give a definitive answer that therefore we still want to preserve those dates. That might change at any time, but I cannot guarantee that it would be before Monday.

The Chairman: I thank the representative of South Africa for drawing our attention to two facts. First, the Organization of African Unity (OAU) will be holding an event in July — if I understand him correctly. Secondly, he has told us that he cannot give us any indication as to the orientation of the Non-Aligned Movement concerning dates in July, or about the possibility of a change in those dates, but that a change of mind is not in the offing for the near future, if I am correct.

At this point, of course, we could have a meeting on Monday, but we would risk not having the absolute, definite answer that we are looking for.

At this point, of course, we could have a meeting on Monday, but that would involve the risk of not having absolutely the definite answer that we are looking for. But we know that July is not good for the African Union. At this point, what is important is that we do not repeat the behaviour of 2002 to date. There are plenty of important events — and we respect them highly — that are being organized. Should we wait again until the moment when we can have our window of opportunity, our date of 31 March to 17 April risks being overtaken by some other events, because we cannot override the decisions of others when there are no definite indications.

Of course, I respect whatever desire this body will express, but I would like to ask members to reconsider the objections and the request not to take a decision today.

Mr. Santiago (Brazil) (*spoke in Spanish*): I understand that we are referring to the request made by the representative of Mexico that we suspend the meeting now and resume it, perhaps early next week, to determine whether we can find a further opportunity to hold the third substantive session of this cycle in 2002.

We have expressed our opinion. We agree with the Chairman's original proposal. I believe that we understand and support the arguments he has put forward to postpone this exercise until 2003. We continue to support the idea that, if we have no alternative, we should convene the session in 2003 and reserve those dates now, or as soon as possible.

Having listened carefully to the representatives of Jordan and South Africa, I am somewhat under the impression that a different way of considering the situation with respect to July might be found next week. If that is the case, I do not see why we cannot give this process another chance. We might perhaps meet at some point next week — after the Chairman has engaged in appropriate consultations early that week, since we will all be here at that time to participate in the first session of the preparatory process for the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons — fully committed at that point to take a final decision on what to do.

I wonder if waiting two or three days for the decision would cause us to lose the dates we have set for next year. I do not know how the Secretariat functions. If that is the case, of course it would be a problem. I wonder, however, whether that is a possible alternative. You know, Sir, that we will support any proposal you may make; we have already supported your proposal for 2003. However, I wonder whether, in the light of the latest comments that have been made, it might perhaps be worthwhile to risk taking a truly final decision early next week.

Mr. Khairat (Egypt): As I said at the beginning, our preference is to convene the substantive session of the Disarmament Commission this year, but because of the unfortunate situation that would be very difficult. That is why my delegation can go along with and support the Chairman's proposal to convene the session on the dates proposed in paragraph 9 of his report. I can also go along with any proposal to convene the

next meeting of the Disarmament Commission next week if that is the decision reached on the case, given the request of one delegation that needs some more time.

However, I would request that, should there be any meeting next week, it not be parallel with the meetings on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Next week will be a very important juncture for the NPT and if the Disarmament Commission should hold a meeting then, it should be at lunch time or any other time and not parallel with the NPT meetings. The NPT process is happening next week; it needs all delegations to participate. We cannot waste our time by leaving the session, particularly since we will be engaging in some thematic debates on important subjects, including disarmament and other clusters. That is why I request that, if any meeting is scheduled, it be held during lunch hours.

The Chairman: Let us say that I am not a person who wants to reach final decisions that are not in the spirit of the decisions that we used to take with full consensus. Therefore, I shall accept that we have further consultations over the next few days, mainly with the representatives of South Africa, Jordan and the African Union.

According to what the Secretariat is telling us, we can have a meeting at 10 a.m. next Wednesday. I know that our colleague from Egypt has been urging that our meeting not overlap with the meetings on the Treaty on the Non-Proliferation of Nuclear Weapons, but it does not seem possible to hold a meeting of that kind during the lunch hours, or so I am told.

Mrs. Arce de Jeannet (Mexico) (spoke in Spanish): Allow me to express my delegation's full gratitude to you, Sir, for being so receptive to the various views expressed this morning and especially for your readiness to pursue a further effort to achieve consensus.

My delegation agrees with the point made by the representative of Egypt that we try to avoid any potential clash with the preparatory meetings for the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. However, it seems to us that, as you have suggested, Sir, if we return at 10 a.m. next Wednesday and if we all make an effort to be here promptly at that time, we could have a very brief meeting, because you would simply submit to us the information you will have received from those representatives to whom you referred earlier. If, in the light of the information submitted by your designated representatives, it were determined that it is not possible to have a session in July, the proposal remaining will be the one that you submitted in the draft report, upon which a final decision must be made.

Accordingly, my delegation feels that the meeting next week would be extremely short. There would be no major debate because the positions are very clear. It would simply be a matter of awaiting information from the Chairman on whether it would be feasible to meet on the original dates you submitted to us, from 1 to 19 July 2001. Otherwise, we can take a final decision on your proposal to postpone the session until next year.

Mr. Khairat (Egypt): I apologize for taking the floor again. I do not want to complicate matters, but I was just looking at the agenda of next Wednesday's 10 a.m. meeting of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. And I see that the meeting is on a specific issue: on the safety and security of peaceful nuclear programmes. This is a new and important issue, and our delegation has to attend. My proposal is to hold our meeting from 9.30 to 10 a.m. We do not need interpretation or other conference services. It will be a very short meeting. But we have to adjourn by 10 a.m.

The Chairman: It would be possible to hold the meeting at 9.30 a.m. — but punctuality is essential. We are not sure that we will have the conference services. But since there is no need for interpretation and since everyone has said that it will be a short meeting, we can take that decision.

However, I will repeat what has been said. On Wednesday morning, if there is no change in the situation as outlined in the interventions of the representatives of South Africa and of Jordan, we will take a decision in line with the statements that we have heard today.

I am told that on that occasion, we will also be able to adopt the draft report without interpretation and without the need for further changes. If there are no objections, the Commission will meet again on Wednesday, 17 April, at 9.30 a.m.

The meeting rose at 12.15 p.m.